

## REMARKS

Applicant has carefully studied the outstanding Official Action mailed on July 23, 2008. This response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Claims 1-8 and 10-15 stand rejected under 35 USC §102(b) as being anticipated by Ham et al. (herein "Ham") (US 5456667).

Claim 9 stands rejected under 35 USC §103(a) as being unpatentable over Ham.

Applicant respectfully traverses these rejections. Ham is directed to an expandable stent for expanding inside blood vessels in cardiovascular procedures. As such, Ham requires the expanding portion of the stent to expand contiguously around the entire perimeter of the stent. That is why in Ham the portions expand radially outwards in all directions. If Ham had gaps with no expanding portions, the blood vessel would collapse at these gaps.

In contrast, in the present invention, in the expanded orientation, distal ends of the support surfaces are disconnected and distanced from one another by an open gap, as is clearly seen in Figs. 3A and 3B of the original disclosure. In Ham, the distal ends are mutually connected to each other at the distal cap. Ham teaches away from an open gap because an open gap would cause the blood vessel to collapse. Claim 1 has been amended to emphasize this structural difference. Accordingly, it is respectfully submitted that claims 1-15 are now in a condition for allowance.

Applicant hereby permits email correspondence with Applicant's representative, especially for clarifying points to lead to allowance of the application.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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